IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5245 of 1987

For Approval and Signature:

HON'BLE MR.JUSTICE B.J.SHETHNA
and
HON'BLE MR.JUSTICE SHARAD D.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PACKART PRESS A UNIT OF AMBALAL SARABHAI
Versus
CHHANI NAGAR PANCHAYAT

Appearance:
1. Special Civil Application No. 5245 of 1987
MR DHAVAL NANAVATI for MR KS NANAVATI for Petitioner No. 1
MR PRANAV G DESAI for Respondent No. 1-3

CORAM : HON'BLE MR.JUSTICE B.J.SHETHNA
and
HON'BLE MR.JUSTICE SHARAD D.DAVE

Date of decision: 08/09/2004

ORAL JUDGEMENT

(Per : HON'BLE MR.JUSTICE B.J.SHETHNA)

The petitioner has challenged in this petition the decision of the respondents to levy and collect taxes, including octroi with effect from July 15, 1986, as illegal and without authority of law, and ultra vires. The petitioner has also prayed that pending the final disposal of the petition to restrain from levying and/or collecting any taxes, including octroi from the petitioner. It seems that though the petition is filed way back in 1987, it was placed for admission for the first time on 10.2.1989. Thereafter on 8.1.1991 petition was straightaway admitted and notice as to interim relief was issued. But, thereafter, it seems that no further order was passed on the point of interim relief. Admittedly, during the pendency of this petition, octroi is done away.

Under the circumstances, this petition does not survive any more. Accordingly, it is dismissed.

(B.J.Shethna, J.)

(Sharad D. Dave, J.)

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